



## Police Commissioner's Memo

Number: CM 16-045

Date: 12/23/16

Post/Mention: Indefinite

### **SUBJECT: MASSACHUSETTS PUBLIC RECORDS LAW**

On January 1, 2017, changes to the Massachusetts Public Records Law become effective. While there are several important changes to the law, here are some highlights all Department members should be aware of:

Stricter standards on the time to comply with requests: The Department must respond to the requester within ten (10) days unless otherwise agreed upon by the requester, or an extension is given by the Secretary of State's Public Records Division.

Changes to fees that may be charged: The Department may only charge 5 cents per page for copies, may not charge for the first two hours of search and segregation time, and after that may ordinarily charge only \$25 per hour to search, segregate, and redact.

Attorney fees / litigation costs assessed: Should the Department fail to respond to a requester as proscribed by the law, the court may award reasonable attorney's fees and costs to the requester.

The City is in the process of hiring a Records Access Officer who will be tasked with ensuring the City's overall compliance with the changes to the law. Please be advised, that starting on January 3, 2017, Martha DeMaio, the Department's Director of Public Information, will become the point of contact for public records requests, supported by both the Office of Media Relations and the Office of the Legal Advisor.

Should you receive a request for public records from Martha DeMaio, the Office of Media Relations, or the Office of the Legal Advisor, please ensure that you respond as soon as possible bearing in mind that the Department must respond to the requester within ten (10) days. Thank you for your attention to this matter.

William B. Evans  
Police Commissioner